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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/729,951

12/09/2003

Yuji Shimomura

Q78607

2703

65565 7590 12/03/2007  
SUGHRUE-265550  
2100 PENNSYLVANIA AVE. NW  
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EXAMINER

BURCH, MELODY M

ART UNIT

PAPER NUMBER

3683

MAIL DATE

DELIVERY MODE

12/03/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

**Application No.**

10/729,951

**Applicant(s)**

SHIMOMURA ET AL.

**Examiner**

Melody M. Burch

**Art Unit**

3683

All participants (applicant, applicant's representative, PTO personnel):

(1) Melody M. Burch.

(3) \_\_\_\_\_.

(2) John Bird for Jeffrey Schmidt.

(4) \_\_\_\_\_.

Date of Interview: 27 November 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: Kurimura, JP'061.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

*Melody M. Burch*  
**Melody M. Burch**  
**Primary Examiner**  
**Art Unit 3683**

11/30/07

Examiner Note: You must sign this form unless it is an  
Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner and Applicant's representative discussed the range limitation. Applicant's representative argued that Kurimura taught a range of 0.1 micrometer or greater while the instant invention recited a range of 0.1 micrometer or less. Examiner maintained that Kurimura read on the claimed limitation because the claim requires a roughness of either 0.1 micrometer or less than 0.1 micrometer. Kurimura satisfied the 0.1 micrometer limitation. Applicant's representative also argued that due to the characteristics of the fluid, oil is found on the inner and outer races as well as on the taper surface. Examiner responded that the instant invention also included oil and that the oil of the instant invention would also cover the inner and outer races as well as the taper surface. Applicant's representative further argued that the oil is not considered a formed film and that it would not have been obvious to have replaced the oil of Kurimura with the manganese phosphate of JP'061 because of the differences in function between the two inventions. Examiner noted that manganese phosphate may be used as a lubricating means but agreed to further consider the arguments when addressing the Official response filed 10/4/07.